

REMARKS/ARGUMENTS

Claims 1-21 are currently pending in the application. Claims 1-21 stand rejected. By this amendment, claims 1, 3, 9, 12, 16 and 18 are amended and claims 7-8, 10-11, 17 and 19-21 are cancelled without prejudice to filing a continuation/divisional application. It is respectfully submitted that the pending claims define allowable subject matter.

Claims 1-21 stand rejected under 35 U.S.C. §102(b) as being anticipated by Yosefin et al., U.S. Patent No. 5,952,875 (“Yosefin”). Independent claims 1, 9, 16 and 18 are amended and claims 7-8, 10-11, 17 and 19-21 are cancelled without prejudice. Applicants submit that the §102(b) rejection of claims 1-6, 9, 12-16 and 18 has been overcome.

It is well established that anticipation requires the disclosure in a single prior art reference of each element of the claim under consideration. As such, for an anticipation rejection, all of the elements and limitations of the claim must be found within a single prior art reference. Moreover, the Examiner bears the initial burden of establishing a *prima facie* case of anticipation.

The Office Action recognizes that Yosefin discloses at least one transistor device adapted to limit duration of a high voltage (See for example Office Action, paragraphs 3 and 8-11) and a p-channel transistors (See for example Office Action, paragraph 5). However, the Office Action further recognizes that Yosefin discloses that such transistor devices comprises n-channel transistor devices (See for example Fig. 3 of Yosefin and the Office Action, page 2, paragraphs 3 and 8-11). Therefore, the combination of elements and limitations of amended independent claims 1, 9, 16 and 18 are not found within the cited art. Specifically, for example, Yosefin does not disclose “at least one transistor device, comprising at least one p-channel device” as recited by amended independent claim 1 among other features; “a stress circuit comprising at least one p-channel transistor” as recited by amended independent claim 9 among other features; “using a stress circuit comprising at least one p-channel transistor” as recited by amended independent claim 16 among other features; and “a stress circuit comprising at least one p-channel transistor” as recited by amended independent claim 18 among other features. As all the elements of the claimed invention are not disclosed in a single


reference, Applicants respectfully submit that amended claims 1, 9, 16 and 18 are allowable.

Claims 2-6 and 12-15 depend from amended independent claims 1 and 9, directly or indirectly. All the dependent claims recite additional features and are believed allowable for all the reasons provided above with respect to claims 1 and 9.

In view of the foregoing, it is respectfully submitted that the pending claims define allowable subject matter, and Applicant respectfully request that the application be passed to issuance. Should the Examiner have any questions, he is invited to contact the undersigned at the telephone number listed below.

Dated: November 24, 2004

Respectfully submitted,



Timothy L. Harney
Reg. No. 38,174

McAndrews, Held & Malloy, Ltd.
500 West Madison Street
34th Floor
Chicago, IL 60661
Telephone: (312) 775-8000
Facsimile: (312) 775-8100